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## RESCATES: WITH SPECIAL REFERENCE TO CUBA, 1599-1610<sup>1</sup>

The war between Spain and England died with Elizabeth, in 1603. The first large era of Cuba's history ended with that war's beginning, as Drake sailed home in 1586; and the second large era opened when the *maestre de campo* Don Juan de Texeda entered Havana to begin work on the city's fortifications. During these seventeen years of warfare the colony benefited, in that the force of necessities which the struggle created, built great forts, in the long shadow of which the sugar industry developed; constructed ships in Havana harbor for the king's reorganizing navy; and, to supply artillery for his use on land and sea, worked the island's copper deposits near Havana and especially at Santiago de Cuba.

The first phase of this second era of Cuba's history dwindled away with the years 1594 and 1595, when the formidable English squadrons which had been blockading Havana disappeared: they had work to do off the coasts of Spain itself, for "offensive operations in grand form"<sup>2</sup> had been resumed. The English pol-

<sup>1</sup> At the Congress for the Progress of Sciences, held in 1917 at Seville, in the History Section, presided over by Dr. Rafael Altamira, Miss Wright presented a paper entitled "El Maestre de Campo, don Juan de Texeda", which was, in effect, an account of the beneficial effects on Cuba of the long war between Elizabeth of England and Philip II. of Spain, and, last summer, at the following Congress for the Progress of Sciences, held at Bilbao, in the History Section, and introduced by Dr. Altamira, Miss Wright presented the following paper on "Rescates", which is, in effect, an account of the detrimental effects on Cuba of that same war. Both papers are based entirely upon original research in the Archives of the Indies, at Seville, Spain. The references below cited indicate only a very few of the perhaps more important papers used in preparation of this contribution.

<sup>2</sup> "It is Drake's disgrace (after the failure of the Lisbon expedition) marks a second point at which the conduct of the war again entirely changed (1588). From the naval point of view, the new phase was one in which the plausible but unsound ideas of Hawkins were allowed to supersede the more drastic doctrine of his pupil. From the level of offensive operations in grand form, the war sank to mere commerce destroying. . . ." Julian S. Corbett, *Drake and the Tudor Navy* (Longmans, Green & Co., London, 1912), II. 335.

icy to bring the war nearer home to Philip than his Indies meant a truce in Cuba's tribulations, which multiplied whenever hostilities "sank to mere commerce destroying".

Through the following second phase of this second era, however, the English continued to reappear in ones and twos in every port of Cuba, excepting Havana. Although English men of arms were called elsewhere, English men of business did not cease to wage on the Catholic king in his Indies a peculiar, draining, harrying commercial form of warfare which, when Don Pedro de Valdes arrived as governor of Cuba, was shown to have reduced the island to conditions almost incredible.

These conditions were the reverse of the medal: they were the detrimental effects on Cuba of the war with England—the results of its influence working through the media of Spain's monopolistic laws on trade and commerce. For, while the seapower of England built castles and ships, manufactured sugar and cast guns, in Cuba, it also swelled the number of corsairs along her coasts; harassed legitimate business; made lawbreakers of all her colonists—men, women, and children, laity and clergy alike—and actually, through their disaffection, weakened the foundations of Philip's empire in the west, as no assemblage of enemy ships off Havana harbor had ever succeeded in doing.

Formally, hostilities between Spain and England ended with the accession of James I.—they had ceased in fact before that. That they had ceased was scarcely observable in Cuba, where the island's authorities were engaged, then and through some years thereafter, in attempting to eradicate the results of what one might well call the war's informal hostilities.

It had been Drake's intention to dislocate Philip II.'s finances by interrupting his receipt of colonial remittances of plate—gold, silver, and precious stones—on which as sinews of war depended that king's European policies<sup>3</sup> including inimical designs upon England herself. When, despite the protection of great galleons of the reorganized navy, the Spanish fleets in 1590-91, 1594-95, 1601-2, found it advisable to spend half a year at a time bottled

<sup>3</sup> Dr. Rafael Altamira takes issue with the supposition that Philip's European policies depended upon revenues from America.

up in Havana harbor, the effect in Spain was financial demoralization as complete as Drake can have dreamed of causing, and yet this demoralization was by no means all the damage the enemy achieved. More was wrought, to the Spaniard's finances and to his prestige, by *rescates*: illegitimate trade in Indies, of which the English had no monopoly.

The word *rescates* means goods delivered in barter or as ransom. Doubtless because the colonists in Indies were accustomed to claim that they were forced by foreign corsairs frequenting their ports to trade with them, or see their property destroyed, the word came to mean goods exchanged in barter with foreign traders, and, finally, was accepted as the general and official designation for that whole volume of illegitimate business. Spanish colonists who so traded were *rescatadores*, and the foreigners with whom they dealt were at first called corsairs, which means, merely, "those who cruise". The term is not uncomplimentary; it is synonymous with, let us say, "sea dog". Pedro Menendez de Aviles applied it to himself, meaning that he was thoroughly experienced in navigation. Although they were usually quite capable of insulting a Catholic church, and always prone to discourage competition in their market by taking possession of any competitor they could overhaul, nevertheless, through the second half of the sixteenth century the corsairs of the Caribbean were a fairly respectable body of men—merchant traders on their own account, or the energetic representatives of others who directed activities from home offices in England, Flanders, and France. After about 1600 the word corsair was replaced by pirate; this, now, was not without a sinister shade of meaning, for enforcement (or attempted enforcement) of Spanish prohibitions against them, began to alter the humor of these outlaw traders.

The business of *rescates* was not new, not even to the English who, presenting themselves<sup>4</sup> in Santo Domingo harbor as early as 1527-8, claimed a right to trade freely in Spain's colonial ports on the strength of an ancient treaty. John Hawkins's voyages were doubtless not the next, nor does it seem probable that he

<sup>4</sup> *A. de I.*, 139-1-7, V. 13, p. 258, *cedulas reales* to authorities at Santo Domingo.

invented the ways he took to circumvent Philip's laws. The French had not been willing to acquiesce in the Catholic king's determination to maintain his religious, political, and commercial monopoly of that large portion of the New World to which the pope, as God's vicar on earth, had declared him absolute master in all secular matters. Against Calvinists in Florida Pedro Menendez de Aviles enforced Philip's religious and political monopoly, but in so far as commercial monopoly was concerned, Menendez was defeated—by the countless nimble trading vessels which swarmed out of Abra de Gracia especially, and, in every inlet of the long broken coastline of the island of Cuba, over which he himself was governor, outwitted his cumbersome galleons detailed "to guard the coasts and ports of Indies". Now, too (1598 forward), the confederated "rebel states of Flanders", declaring that the Catholic king's hindrance of navigation and commerce with the western hemisphere, was against the rights of nations, sought "to contract friendships among certain nations and foreign kingdoms, and", further, "for many other reasons" sent "a goodly number of ships in good order" into Spanish colonial waters.<sup>5</sup> Nor were Italian traders lacking there.

Yet according to Spanish law, foreigners had no right so to intrude upon Spain's New World. Ferdinand's and Isabella's policies had been shaped by conditions in Spain, where religious fanaticism had obliterated all possible lines of political cleavage, and they could not alter to suit different conditions in the antipodes; therefore, even among the Catholic monarchs' own subjects, only the preferred were supposed to be permitted to pass to Indies—only "old Christians", which means not only persons untainted by charges of heresy, but also persons unsullied by unclean Jewish, and especially by Moorish, or, in fact, by any foreign blood. However, after Charles V. "of Germany", and, after him, Philip II., began to indulge in wars over a field embracing Italy on the one side and Flanders on the other, especially when they extended the sovereignty of the Spanish crown to its widest, including Portugal, then Italians, Germans (in broad

<sup>5</sup> *A. de I.*, 2-5-1/23.

sense of the word), and especially Portuguese, seem to have found Spanish laws no hindrance to their clearance for Spanish ports in Indies. Neither, even when relations were bitterest between the Catholic king and his Most Christian cousin of France, were Frenchmen lacking there. I have seen less mention of English during the first three quarters of the sixteenth century.

It was a German who first worked to effect the excellent copper deposits of Cuba, and for casting this metal masters of the same nationality were more than once the sole reliance, just as they were in Spain itself, until, as one document puts it, "the great master, the German", came to teach his art to Spaniards. Germans and Italians and Portuguese were the best artillerymen Cuba's earliest garrisons knew: Spaniards were not to be had who understood gunnery, precisely as they were not available in sufficient numbers in Spain itself, until, under pressure of war, the crown founded a school for their training. Even Frenchmen served among the soldiers upon whom Cuba depended for defense, and in 1600 a trumpeter of Havana's garrison who insisted that he was a Fleming, was taken to Spain accused of being English and a spy. The Portuguese had long been recognized as the most successful agriculturists: *cedulas* were issued to them more than once, not only authorizing, but rewarding, their settlement in the island.

These foreigners crossed in the fleets, especially in ships' crews, and their presence abroad was known to the House of Trade at Seville, which cleared them. Accused of admitting foreigners to these crews, the House replied,<sup>6</sup> simply, that there were not enough Spanish mariners available to man the ships. It is significant to note that one applicant for a customs house post at Havana recommended himself as especially qualified to inspect arriving vessels because he knew languages and could deal with foreigners aboard.

Nor were all there without adequate authorization. Though none but the Portuguese cited general *cedulas* in their behalf, there can be no doubt that many merchants of foreign nationality

<sup>6</sup> *A. de I.*, 54-1-16, House of Trade to the crown, Seville, July 26, 1611.

did business in Indies, and traveled that part of the world, under specific licenses to do so. These could be granted, according to the law of 1592. Some claimed naturalization, under *cedulas* of 1561 and 1562, which were issued to the Canaries and Tierra Firme and declared those foreigners naturalized who had lived ten years there and married native women; if they were naturalized, then they had the right to do business in Indies. Still others affected to consider their naturalization in Spain extensive to the Indies, and others yet dealt through agents concerning whose right to travel in the New World there could be no question.<sup>7</sup>

Once ashore in Cuba, there is evidence that foreigners who for any reason whatsoever desired to remain and throw in their lot with the country, readily arranged matters by taking out papers of *vecindad*. These were granted by the municipalities, always anxious to increase their permanent population and, what worked to the advantage of any foreign-born citizen who got into trouble, always keen to defend their jurisdiction over their own *vecinos*. In Havana itself there were foreigners *avecindados*—not only Portuguese, but also French, Italians, and Flemings—“poor people”, Valdes explained,<sup>8</sup> fishermen, sawyers, and carpenters, so very useful in their trades that the community could ill afford to part with them, nor did it part.

It is especially interesting to discover, in these old papers at Seville, how little holy horror the fact that these foreigners (especially the transient traders) were usually heretics, inspired in the Catholic colonists of Cuba. Protestants, Calvinists, and Lutherans, they distributed heretical books translated into

<sup>7</sup> In 1608 the council for Indies assured the crown that the foreign interest in the fleets from Indies amounted to two-thirds of the gold and silver which the royal armada escorted home. This was described as especially detrimental because the profits from the business this represented went abroad, to heretic kingdoms largely. Measures were at once taken to curtail such prosperity. It was ordered that Hollanders, Zelanders, French, Germans, and English (north-Europeans), and any Portuguese or Italians caught in their company, be hanged at once, if taken west of the Canaries. Spanish captains general of armadas and fleets, governors and other officials of high category, were instructed (September 13, 1608) to this effect. No massacre seems to have followed.

<sup>8</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Dec. 15, 1605.

Spanish, thereby jeopardizing the souls, especially of the rustics, to quote Governor Valdes,<sup>9</sup> particularly the Indians and the blacks, "barbarous peoples", among whom they did proselyting. The French Catholics who not infrequently traveled in their company were too few to ameliorate the general designation applied to foreign traders, of "heretic pirates, enemies of the king". And yet, between these heretic enemies, and his most Catholic majesty's subjects in Cuba, not only business relations, but also intimate social relations existed: the pirates and the people ashore are described as "eating and drinking and sleeping together". Such was the familiarity among them, the council for Indies informed the king, that the colonists, having no physician of their own, brought their sick to the pirates to be treated.

Governors' reported that the root of the whole evil of *rescates* lay in the *alcaldes*. It was their duty to prosecute and punish this trade; instead, they were themselves the worst *rescatadores*, "being the persons of most means". Not even governors' lieutenants were exempt from the contagion.

Neither did the local clergy exert any corrective influence: far from it! More than one *cura* was implicated, and they were slower than their flocks to reform, it was said.<sup>10</sup> Precisely at Baracoa, where no religious could be persuaded to stay excepting lawless friars abroad without permission of their superiors, Fray Alonso de Guzman was accused of having correspondence with France, Flanders, and England, and of visiting Guayabes (a pirate rendezvous of La Española) in person: there are preserved at Seville certain most curious letters<sup>11</sup> said to have passed between Fray Alonso and the pirates, some of which are signed "the pastor". "And if these things are discovered against the clergy, your majesty may imagine what has been discovered against the guilty laity!" The bishop of Cuba considered<sup>12</sup> that

<sup>9</sup> *A. de I.*, 54-2-7, Valdes to the crown, Havana, July 18, 1603.

<sup>10</sup> *A. de I.*, 54-2-8, Manso de Contreras to the crown, Havana, Oct. 15, 1607.

<sup>11</sup> *A. de I.*, 54-2-7.

<sup>12</sup> For lack of space I have omitted all reference to the good bishop, Fray Juan de las Cabezas Altamirano, who at this time (1603-4) traveled through the island of Cuba, had his own unpleasant experiences with both pirates and the "soulless" among his flock at Bayamo, and never appeared to greater advantage



the climax had been achieved when one man refused to have his child christened until the pirate could arrive who was to be its godfather!

On a population through which the presence and activity of foreigners had long so worked, like leaven—a population comprising, in addition to them, some few Indians and *mestizos*; some mulattoes and a large proportion of blacks, both slave and free; “natives”, as Valdes called the colonials born, the *criollos*; and Spaniards, in whom loyalty to the crown had never been synonymous with obedience to its inconvenient laws—on such a population, all unbroken to restraint, the Spanish king for reasons sought in the last decade of the sixteenth and in the first of the seventeenth centuries, to enforce old laws which had relaxed and new ones which were enacted, to prohibit long established trade between Cuba, and England, France, and Flanders. With those countries, his majesty was informed, Cuba had closer communication than the island was permitted to enjoy with Spain. At the same time, while insisting upon eliminating this illegitimate trade, the crown not only did not consent to alleviate the cramping restrictions under which legitimate business labored but actually drew those restrictions tighter, all for the benefit of the merchants of Seville.

No more prejudicial monopoly ever existed than Seville's monopoly of Spain's colonial trade, which now (1590 forward) was renewed and enforced: it was the price the colonies paid, on behalf of the Catholic king, for the Seville merchants' support of that portion of his navy which was detailed to protect the western trade routes, especially against the English, and particularly to convoy safe over them the royal revenues sent from Tierra Firme and from Mexico.

Spanish business with the colonies paid various export and import duties, and numerous charges, fees, dues, etc. Not the king himself could understand the colony's accounts, much as he

as a good man and a good Christian than in his letters written at this period. It is especially interesting to note that they were the civil authorities of the island, not the religious, who in these years recommended (vainly) the establishment of the inquisition in Cuba to deal with *rescatadores*.

paid to experts to elucidate them; therefore a student who is not specializing in this important field may be permitted to admit uncertainty as to how much the traffic from Cuba was asked to bear, but there is no evidence that the tariff, or other similar burdens, was onerous. I believe that it was proportionately less than the American government has laid on American business under the most lenient protective tariff the United States has ever had; even a free trader cannot maintain that Spain abused Cuba, in these years, by way of tariffs.

What was galling were those restrictions on commerce which maintained Seville's monopoly, and the fleet system—a part of it. The general law was that merchantmen must cross to the colonies in two annual fleets, and return in the same manner, on a more or less permanent schedule, over a fixed route. They cleared from and returned to, Seville. This system was the means whereby Spain's entire legitimate trade with the New World<sup>13</sup> was controlled, and mercilessly exploited, for the benefit of the merchants of Seville, among whom, it is interesting to note that foreigners, especially the English, were a recognized and important element.<sup>14</sup>

The merchants of Seville resented any disturbance or diminution of the demand on which they relied. Therefore, they were not willing that the king's despatch boats, the *capitanas* or the *almirantas* of the fleets, or the galleons of the guard, should carry cargo—"abuses", these, which were probably never eradicated. They resented any vessel's deviating from the course for which it was cleared. Similarly, they protested against "loose ships", that is, against clearance of vessels, under special permit to leave Spain for Indies between fleets.

There was, of course, considerable inter-colony traffic over the Caribbean. This traffic had always been more or less free. From the continent Cuba got foodstuffs (maize, meat, salt, fish,

<sup>13</sup> Try as they might, neither northern ports nor Cadiz succeeded in breaking this monopoly.

<sup>14</sup> There are many very interesting documents in the Archives of the Indies bearing upon this point, among them the by no means humble protest entered against a moratorium, on Oct. 21, 1610, by Juan Gallardo de Cespedes, "protector and conservator general of all the foreign nations", to be found in 143-5-5.

honey, fowls) to feed the civil and military population of Havana especially. The island was never self-sustaining. Governor Maldonado estimated<sup>15</sup> that it produced only meat, *cazabi*, and corn enough for perhaps one quarter of the year. In those things which could come from Europe only, the island bitterly complained that it was insufficiently supplied by the vessels, said to be few and small, which cleared from Seville for Havana with the Mexican fleet. Havana repeatedly asserted her need of cargoes "outside the fleets"; so, too, did Bayamo and Santiago, and even the less important port of Principe. Governor Maldonado declared that the ordinances which permitted vessels to leave Spain for Havana only with the Mexican fleet, actually jeopardized the safety of the place. He cried out that "the contradictions of merchants"—the short-sighted interests of Seville—should not be permitted to endanger a stronghold as important as Havana, by starving out its civilians and its garrison.

Sometimes these insistent petitions for "loose ships" were granted: more frequently they were denied, the House of Trade, and prior and consuls at Seville having been consulted. Sometimes it was stated frankly that to grant the colonies' demands would entail loss to the Seville merchants, and this was good reason for refusal. Or again the crown was informed that the necessities alleged were mere pretense, the colonists' real desire being to provide a cloak for illicit business done by such "loose ships", especially, it is to be inferred, through the Canaries.<sup>16</sup>

Fleet cargoes were always nicely calculated to maintain top prices in the colonial market. Worse yet, not only were good food and clothing which arrived through these legitimate channels expensive, but sometimes they were not to be had at all, for, if Cuba was insufficiently supplied by the fleets, its situation must certainly have been serious when, as happened time and again, these fleets failed to make their annual voyage, because the seas were kept unsafe by the Catholic king's adventurous

<sup>15</sup> *A. de I.*, 54-2-5, Maldonado to the crown, Havana, Nov. 22, 1593.

<sup>16</sup> A volume might be written upon the relations between Cuba and the Canaries, and upon the very great influence of "the islands" upon that colony's development.

enemies. Then, the settlements lamented, they were left without wine, oil, or vinegar, three articles without which, the documents at Seville make plain, no Spanish colony could be expected to exist to serve any majesty, neither the temporal nor the divine. Meanwhile, off shore hung the pirates, offering wines, silks, slaves, linens, spices, hardware, etc., at bargain prices quoted in hides: and hides were to be had for the hunting, for the whole island of Cuba was full of cattle run wild! These being the conditions, it was to be expected that no mandate from the king, no censure of the church, could suffice to prevent the colonists from faring down to the ports, to the pirate ships, where the women were said to go as to the marketplace, to trade.

From early times, again and again, from every quarter, by many persons, the Catholic king was informed that the real need his subjects felt, situated as, for instance, were those of eastern Cuba, in a land which produced only the roughest food and no wearing apparel—their real need, was the reason why they traded so “shamelessly” with heretic enemies of his state and the church. Bishop Cabezas wrote<sup>17</sup> that it was “greatest necessity” rather than “covetousness” which had “opened the door” to this business: he thought that had governors seen the people’s needs as he had, the matter would have been remedied long before. The factor, Francisco de Varte, at Seville, in recommending that a ship with food supplies be cleared for Havana, stated<sup>18</sup> that it was hard necessity which had driven the colonists to get what they must have, by what means they could.

At the beginning of the year 1599 Governor Maldonado sent<sup>19</sup> Sergeant Juan Gutierrez, with eight men, to investigate *rescates* at Baracoa, with orders to arrest persons guilty of trading, and to bring them to Havana. At Baracoa the sergeant arrested five or six persons, whereupon the rest involved, “who had fled to the woods”, came to an agreement with certain Flemings and French,

<sup>17</sup> *A. de I.*, 54-3-1, Cabezas to the crown, Bayamo, Sept. 28, 1607.

<sup>18</sup> *A. de I.*, 143-5-1, de Varte to the crown, Seville, Jan. 22, 1608. It was alleged that the House of Trade made the refusal or granting of permission to “loose ships” a source of illegitimate profit to its employees.

<sup>19</sup> *A. de I.*, 54-1-15, Maldonado to the crown, Havana, Mar. 30, 1599.

then in a neighboring port, and so reinforced, descended upon the town, released the sergeant's prisoners, and themselves took him into custody. This demonstration of his inability<sup>20</sup> (which he frankly confessed) to check illicit trade, so angered Maldonado that he assured the king that Baracoa was the sink of the island, inhabited by some thirty men of various nationalities and colors, in charge of half-outlawed priests (the only sort who would abide there); the port was a rendezvous of pirates, a good lair from which they sallied forth to capture vessels approaching from the Canaries, and because neither God nor the king was served in Baracoa, he earnestly recommended that the oldest city in Cuba be "depopulated", that is, razed and its inhabitants scattered. Such drastic remedy was applied in La Española. The crown on May 30, 1600, called<sup>21</sup> on the *audiencia* at Santo Domingo for a report on the suggestion, and in 1606, considered<sup>22</sup> removing Trinidad "nearer to Santiago" in order to curtail *rescates* there. In 1605, Nuñez de Toledo recommended<sup>23</sup> that Bayamo, the second largest settlement in Cuba, be "depopulated, because the place is of profit only to enemies of . . . the crown . . . and there is there little virtue or truth".

In June, 1602, Don Pedro de Valdes arrived as governor of Cuba. He seems to have come inspired with determination to proceed vigorously against *rescates*, and he immediately sent forth *armadillas* to hunt pirates by sea.

These *armadillas*, small squadrons, armed to encounter pirates, became established institutions during Valdes's incumbency. Having failed in Spain to get out of the crown such a patrolling squadron as he had desired, Don Pedro created the best possible substitutes from the means at hand in Cuba. He got money from local merchants and fighting men from among citizens and adventurers, who were attracted by the hope of prize money.

<sup>20</sup> This was by no means the only instance of colonists and pirates together turning against the authority of the king in opposing representatives of the governors.

<sup>21</sup> *A. de I.*, 78-2-1, III., p. 162, *cedula real* to the *audiencia* at Santo Domingo, May 30, 1600.

<sup>22</sup> *A. de I.*, 78-2-2, V. 5, p. 70 r., *cedula real*, Nov. 20, 1606.

<sup>23</sup> *A. de I.*, 54-2-7, Nuñez de Toledo to the crown, Havana, July 10, 1605.

Sometimes he helped himself to soldiers from Havana's forts, and he was accused of using the forts' powder, fuse and shot on pirate hunting excursions. Eventually he laid a tax of a *real* or so each on hides entering Havana, and on tallow, receipts to go to the support of his *armadillas*, which were organized not only in Havana but also in Bayamo and at Santiago.

Bitter and various were the allegations made against Don Pedro by his enemies with respect to these *armadillas*. He was accused of "superfluity of covetousness" after prize money, of himself engaging in *rescates*, and of interfering with the island's legitimate trade with other colonies, especially Florida.

Since he fully realized<sup>24</sup> the danger inherent in *rescates*, danger which he analyzed as spiritual, economic, military, and political, it is possible that Don Pedro was honest in his activity; it might even be that he had inherited some of his father-in-law's vigorous views on the propriety of punishing audacious disregard for the Catholic king's laws, and perhaps a little (but only a little) of that good old fanatic's desire to serve Christ, Our Lord, in discomfiting heretic enemies of the Holy Catholic faith.

At all events, Don Pedro was as vigorous by land as by sea. He reported<sup>25</sup> that, ashore, the wealth of the colony belonged to Portuguese and other foreigners who had arrived as mariners, become *vecinos*, but were traitors nevertheless to the Spanish king: he had been warned that they meant to deliver the island over to the king's enemies, and Valdes said that he believed them quite capable of harboring such intention. He said that the island was to be conquered again: that two-thirds of its population were foreigners. He asked authority to expel "most of the *vecinos*, because they are not natives". He desired especially to be rid of the Portuguese because they were the best off and therefore the most dangerous.

Valdes's lieutenant-governor was Suarez de Poaga. As soon as this lawyer had finished the usual routine inquisition into Maldonado's administration, Don Pedro sent him inland (about Sep-

<sup>24</sup> *A. de I.*, 54-2-7, Valdes to the crown, Havana, July 18, 1603.

<sup>25</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Sept. 25, 1602.

tember, 1602) to "visit" the interior, and especially to "punish and check the great disorder, development, and liberty of *rescates* and *rescatadores* with heretics and enemies."<sup>26</sup> He was accompanied by soldiery. He was especially active at Bayamo, where, when it became known that the lieutenant-governor had captured a certain set of books, two hundred *vecinos* vanished from the town, citizens described<sup>27</sup> as the "richest in property and most widely related". Poaga forthwith accused eighty persons of rebellion and sentenced them to death and confiscation of property. Inasmuch as the culprits could not be caught, no executions occurred, or, if caught, they could not be hung or quartered at Bayamo, nor taken to Havana since travel overland was impossible; nor was it any more possible by sea, because for six months pirates hung off the mouth of the Cauto, ready to attack any vessel setting forth with prisoners. Poaga did not venture to visit Santiago. Having set out for that city, a warning stopped him short, at the Prado mines. Meanwhile pirates landed and went from door to door through Santiago, demanding him, "*el justiciero*".

Matters stood at a draw when the *audiencia* at Santo Domingo, acting on the ground that Poaga had allowed no appeals, thereby violating existing ordinances "and taking other liberties", ordered<sup>28</sup> Governor Valdes to send him a prisoner to La Española, all pending cases to be turned over to local courts. On receipt of this order from the *audiencia* Valdes obeyed it, as emanating from his superior, but he declined to comply with it. Poaga went to Spain, for his honor's sake, and eventually the crown returned him to his office.

Valdes exclaimed<sup>29</sup> that neither civil nor religious justice prevailed against pirates: they defended themselves aboard Spanish vessels which they had taken from Spanish owners, with Spanish guns adorned with the humbled arms of the king of Spain! By friends ashore they were forewarned of expeditions planned

<sup>26</sup> *A. de I.*, 54-2-7, Valdes to the crown, Havana, July 18, 1603.

<sup>27</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Jan. 3, 1604.

<sup>28</sup> *A. de I.*, 79-4-2, V. 5, p. 124 r., *cedula real*, Oct. 30, 1604.

<sup>29</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Sept. 22, 1603.

against them. "Either I have not been able to represent this danger as serious as it is, or else", he wrote,<sup>30</sup> "in the council it has not appeared to be of any moment, for no decision has been reached, nor have I received any answer at all in the matter."

Meanwhile, Valdes had duly reported<sup>31</sup> that on January 24, 1603, the English and French had landed five hundred men on the island of Jamaica, but were driven off with loss. These same allied enemies had cut out a *capitana* and an *almiranta* from the very Puerto de Caballos, wherefore, the crown was advised, no plate was to be expected from Honduras in 1603-4. After this exploit the French returned to La Española; the English hung off Cuba for a week, beating back and forth between San Anton and Matanzas, and, having got a caravel, went off. In March a year later, the governor of Florida reported<sup>32</sup> an unidentified enemy as building a town at Ensenada de Carlos, "which is  $27\frac{1}{2}^{\circ}$  toward Cape Apalache, which is in more than  $30^{\circ}$  beside the Spiritu Santo river". Valdes sent out a very light frigate to investigate; it was gone fifty days, found nothing, and he concluded the rumor to be without foundation in fact. In Spain, before May 15, 1604, the crown and council were warned<sup>33</sup> that "to the king of England the Hollanders have proposed the taking of the island of Cuba and Havana as a very feasible and easy thing; they want him to give them only three galleons with their men, victuals, and necessary munitions, (promising) that they will take along ten or twelve vessels for this purpose, and they will assist him to sustain (himself there), and they urge on him to establish himself in the very best part of Indies". Spain was moved to the defensive.

In Cuba, this defensive assumed three forms: armadas, a visiting judge, and a *cedula* of expulsion against the Portuguese. In none of them was that defensive effectively executed: the armadas were diverted to other service before they could render

<sup>30</sup> *A. de I.*, 54-2-7, Valdes to the crown, Havana, July 11, 1604.

<sup>31</sup> *A. de I.*, 54-2-7, Valdes to the crown, Havana, June 6, 1603.

<sup>32</sup> *A. de I.*, 54-5-17, Valdes to Ybarra, Havana, Mar. 30; 1604; 54-2-7, Valdes to the crown, Havana, May 14, 1604; Valdes to the crown, Havana, July 11, 1604.

<sup>33</sup> *A. de I.*, 141-1-3, a warning seen in council, May 15, 1604.



any on the Cuban coasts, the judge's questionable industry ended in the humiliation of a general pardon, and those Portuguese it might have been wise to deport, defended themselves by law. That neither the English nor the rebel Netherlanders, or the French, for that matter, took Cuba in these days, would seem to have been due to reasons extraneous to that colony and its administration.

The chief interest of the representatives of the rebel states of Flanders who then roved the Caribbean, attached to the salt beds of Araye, and late in January of 1606 Captain General Luis de Fajardo, who was abroad with a squadron under orders to look to the situation around those salt beds, arrived at La Española,<sup>34</sup> whence he despatched Juan Alvarez de Aviles with an armada of six vessels to the south coast of Cuba to clear away the twenty-five enemy ships reported at that time to be off the port of Manzanilla.<sup>35</sup> Destruction of the north coast towns of La Española was said to have driven pirates in great numbers to Cuba. Alvarez arrived off Santiago on January 25th, and made Cape Cruz on the 27th, where he was so delayed by contrary winds that he did not reach Manzanilla until February 2nd: only to find not a ship anchored there. Diligent inquiry ashore disclosed that about three days before thirty-one ships had left that port—twenty-four of them Flemish, one English, six French—of the latter half dozen, five being warships and one a trader.<sup>36</sup> Alvarez followed after these enemies and presently encountered

<sup>34</sup> La Española was distraught by the destruction of its north coast towns. The island was beset by pirates from the sea and overrun by slaves in revolt upon the land. It is said (*A. de I.*, 147-5-16, Council for Indies to crown, Oct. 9, 1606) that Fajardo's arrival somewhat "assuaged" the "uprisings and inquietude" he found there. The crown was assured by the council for Indies that the situation in La Española was not really serious, but inasmuch as some of the settlers "had passed over to the enemy", this might encourage the enemy "to attempt something". Governor Valdes was ordered to send fifty men from Cuba to the support of Don Antonio Ossorio, president of the *audiencia*, governing there.

<sup>35</sup> The old spelling is Manzanilla, not Manzanillo.

<sup>36</sup> It was said that a Spaniard named Geronimo Torres warned the foreigners of the armada's approach, and that when later he failed to deliver hides, *i.e.*, got into debt, the pirate he had so favored threatened to deliver his letter to Spanish authority!

one fleet of sixteen hulks—Flemish, French, and English—and, “in another part near them fourteen more, and he fought them all”,—evidently in the obsolescent good old Spanish style, for he says that he bade his ships ram, and it is recorded that his *almiranta* closed with the *capitana* of the enemy, both took fire, and sank together. At nightfall, Alvarez says,<sup>37</sup> he lost the enemy: he hunted them in vain through that night and the next day. A pilot he had captured assured him that they had betaken themselves to the Isle of Pines, and for that Isle he bore away through waters he naively remarks the Spaniards did not know very well, so that he was dependent upon a Portuguese pilot named Antonio Hernandez whom he had picked up in Santo Domingo. Later, he accused this man of being himself a veteran dangerous pirate, and of intentionally grounding the Spanish vessels among the islets of the Gardens of the Queen, where, in consequence, Alvarez lost his *capitana* and the flyboat he had. He saved what he could out of the disaster (eight guns went down which were eventually recovered), and he arrived in Havana, whence, in August of 1606, he cleared for Spain convoying what shipping the season’s hurricane had spared. He had accomplished nothing toward dispersal of pirates.

When reports reached Spain concerning his Portuguese pilot, however, who was blamed for the loss of the Spanish vessels among the Gardens of the Queen, it was decreed<sup>38</sup> that Governor Valdes be instructed to take action against him and others of his nationality, drastic enough to prevent their trading with the enemy. The crown was now assured<sup>39</sup> that it was the Portuguese who began this business of *rescates*, and still maintained it. Their legitimate trade in African slaves was said to cloak much besides.

Before the end of 1605, Don Pedro had received a *cedula*, dated May 11 of that year, forbidding foreigners to do business

<sup>37</sup> *A. de I.*, 147-5-16, Alvarez to the crown, Havana, April 1, 1606.

<sup>38</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, Oct. 6, 1606; see the decree.

<sup>39</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, July 30, 1606; 143-4-20, Alvarez views before council, prior to Aug., 1606.

in the king of Spain's New World. Don Pedro replied<sup>40</sup> that he was uncertain whether Portuguese were foreigners or not, but, nevertheless, he reported upon them, and awaited further orders. No matter what may have been his views when he arrived in Cuba, on the desirability of expelling foreigners, his reports<sup>41</sup> now seem to reflect a certain reluctance to deprive Havana of its Portuguese—of the baker, the shoemaker, the pilot, several wine merchants, street venders, farmers, and sugar planters—especially the sugarmaster Antonio Matos, native of Madeira, who had introduced the manufacture of sugar into the colony, where he had been a resident for twelve years.

Under date of January 24, 1608, a *cedula* was issued<sup>42</sup> to Valdes's successor, Pereda, bidding him, upon arrival in Havana, "drive forth all the Portuguese there are in that city, married and single, of whatever condition, shipping them in the plate galleons, consigned to the House of Trade at Seville". This sweeping, plain order was weakened by an exception immediately stated: those Portuguese who had been married and *avecindados* in the city for ten years or more prior to its emission, were to be permitted to remain.

This *cedula* reflects the discussion which was animated in Spain through these years, as to conditions on which foreigners should be naturalized and so permitted to do business within the realm. Earlier *cedulas* were now (October 7, 1608) revoked, and another<sup>43</sup> issued, declaring that to be considered naturalized in Indies a foreigner must have resided in Spain or the Indies through twenty consecutive years, and through ten of them have been a householder, with real property, and a wife who was either "a native or daughter of a foreigner but born in these said kingdoms". Foreigners who could answer to these requirements must prove as much, before local courts. Within thirty days after receipt of license to trade they must present an inventory of

<sup>40</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Dec. 15, 1605.

<sup>41</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Aug. 12, 1607.

<sup>42</sup> *A. de I.*, 78-2-2, V. 5, p. 151, *cedula real*, January 24, 1608.

<sup>43</sup> *A. de I.*, 141-1-6, council to the crown, Sept. 11, 1608; also *cedula real*, Oct. 8, 1608; 141-1-9, *cedula real*, Sept. 18, 1618.

their property to the aforesaid court. They might do business on their own capital, only. No naturalization or license to trade which had been issued in Spain was extensive to Indies save upon the foregoing conditions. This *cedula*, of October 8, 1608, was called "the foreigners' *cedula*", and the merchants of Seville got it out of the crown, as further price of their continuance to pay general average, for the support of the *armada de la averia*. It was at the same time further ordered<sup>44</sup> that no foreigner might do any business at all in Indies, or go there without special permit, nor might any Spaniard act as a foreigner's agent; neither might foreigners in Spain sell Spaniards goods on credit, payable in Indies: collection of such debts even before the plate of the fleets reached Spain was said to diminish the quantity of it received there.

Recital of these details shows the order to expel the Portuguese from Cuba in its true light: a measure taken for business reasons. On June 25, 1608, eleven days after his arrival in that island, Governor Pereda demanded bonds of them that they would leave the city with the next fleet. On the following September 22 he informed the crown<sup>45</sup> that some Portuguese had gone and more were going: soldiers whom Valdes had compelled to enlist in the garrison, workmen from farms and sugar plantations, and sailors. He had found merchants and traders harder to dislodge: some had indeed been residents in Havana for the requisite number of years, and others who had not been, had been able to prove themselves Castilians and Andalusians, despite the contrary evidence of their manner of speaking the language they claimed as mother tongue. Some had proven themselves natives of El Algarve and therefore as privileged as Castilians in the Indies of Castile. Lawyers, meantime, had twisted the exemption clause to suit clients' demands. Among false witnesses in favor of the Portuguese appeared persons of more than ordinary category. The governor admitted that they were equal to proving anything they desired to prove, in the local courts, and in the *audiencia* at

<sup>44</sup> By the same *cedula* of October 8, 1608.

<sup>45</sup> A. de I., 54-1-16, Pereda to the crown, Havana, Sept. 22, 1608.

Santo Domingo appellants against the *cedula* of expulsion found its atmosphere friendly to them.

At the same time in September of 1608 Governor Pereda said that not all the Portuguese in Havana had departed, but he thought that enough had gone for the time being. In reply, he was instructed<sup>46</sup> to obey orders carefully; but if he thought the *cedula* of expulsion inconvenient he might so advise. In June of 1609 Pereda stated<sup>47</sup> that he saw no reason why any Portuguese should be left in Havana; he had observed that whenever a Hollander got into trouble a Portuguese appeared to go his bond, and he inferred that the expulsion of the Portuguese would lessen the danger "the rebels" constituted. By midsummer of 1610 Pereda had expelled<sup>48</sup> ninety-two foreigners (a few were of other nationalities than Portuguese), and even earlier he had forwarded *cedulas* to Governor Villaverde<sup>49</sup> at Santiago ordering him to expel "all foreigners and Portuguese" from the center and east of the island. Apparently Governor Villaverde's compliance was limited to making a list of those liable to expulsion.

Despite all this, and strenuous *cedulas* intended to prevent the ingress of more foreigners, it would appear that they came to Cuba nevertheless: Germans, Flemings, French, Irish, and some who claimed not to know their origin. They came in vessels the House of Trade cleared. Governor Pereda said<sup>50</sup> that there was no deception about this—the foreigners' names and nationalities were frankly stated on the ships' papers, and the situation was the same throughout Indies: if he proceeded against them in Havana he would merely make that port unpopular. Foreigners worked on Juan de Borxa's *armada de barlovento*, building under government administration in Havana bay.

All in all, one gathers the unpleasant impression that Governor Pereda's shipments of Portuguese were made to appease the

<sup>46</sup> Decree on the aforecited document; and *A. de I.*, 78-2-2, V. 6, p. 14, *cedula real*, April 14, 1609.

<sup>47</sup> *A. de I.*, 54-1-16, Pereda to the crown, Havana, June 18, 1609.

<sup>48</sup> *A. de I.*, 54-1-16, Pereda to the crown, Havana, Aug. 14, 1610.

<sup>49</sup> *A. de I.*, 78-2-2, V. 6, p. 125, *cedula real*, October 1, 1611.

<sup>50</sup> *A. de I.*, 54-1-16, Pereda to the crown, Havana, April 14, 1610.

powers, and consisted of humble persons unable to defend themselves. Some even of these who were deported never arrived in Seville, or so it would seem: they appear to have effected a landing on the Portuguese coast before the fleets made that port. Those in Cuba whose means and standing were sufficient to the emergency, doubtless found the *cedula* of expulsion annoying, and costly as defense at law always was, but when the dust cleared away they were still doing business at the old stands. The measure had failed of effect even as Alvarez's armada had failed.

When the crown ordered towns along the north coast of La Española depopulated, as a measure to prevent *rescates* there, their inhabitants were ordered to remove to specified new towns in that island; instead of obeying, many came to Cuba. The population of Santiago de Cuba increased. The influx was perhaps two or three hundred persons; they were made very welcome. On November 11, 1605, *Licenciado* Francisco Manso de Contreras, *oidor* of the *audiencia* at Santo Domingo, was commissioned<sup>51</sup> by that court to go to Cuba to investigate into the presence there of these unauthorized emigrants from La Española. Arrived in Havana, he gave it to be understood that he had come to investigate *rescates* in general, and Governor Valdes received him as competent for this larger task. If Don Pedro knew of limitations on the judge's commission he preferred to ignore them; he was said to have advertised that it was "infinite and unending". He wrote<sup>52</sup> to his majesty that he was particularly pleased with Manso de Contreras's arrival, for he himself had earnestly desired to "remedy this excess" of *rescates*. Meanwhile, Manso de Contreras endeavoured to get an extension on the time of the commission he held from the *audiencia*, and, in making the same request of the crown,<sup>53</sup> petitioned for recognition of his authority to proceed as he had proceeded, arguing that an *oidor* of the *audiencia* is by virtue of that office vested with authority to act as he may consider necessary for the good of the service, wherever he may be.

<sup>51</sup> *A. de I.*, 78-2-2, V. 5, p. 47 r., *cedula real* to the *audiencia* at Santo Domingo, May 1, 1606.

<sup>52</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, Aug. 3, 1606.

<sup>53</sup> *A. de I.*, 53-6-6, Manso de Contreras to the crown, Havana, July 23, 1606.

Prior to his visit to Cuba, Manso de Contreras had dealt with *rescates* in La Española, where, he said, he had hung a few *rescatadores*: he was inclined to boast of the terror his name inspired. In Havana, he entered into action at once and in a very short time indeed reported<sup>54</sup> that he had a hundred citizens under arrest, though they were not in confinement but allowed liberty under the best bonds he could secure. Although he purposed, he said, to punish these culprits severely—to make examples of them—he had proceeded gently, so gently that many persons presented themselves of their own accord to confess their guilt, and that of others as well. Meanwhile, Manso de Contreras was looking carefully to what he ate and drank: he gave the king to understand that he stood in hourly peril of death by poison or open violence. He soon found implicated in this business fully three hundred and sixty other persons, who resided in the interior of the island, and announced<sup>55</sup> that he would visit the inland country in person, because he could not hope to deal with these cases through the local authorities. He hastened his work in Havana with departure in view and before the end of the year estimated<sup>56</sup> the total number of persons involved in *rescates* at five hundred, half of them at Puerto Principe and Bayamo.

He assured<sup>57</sup> the king that the colonists of the interior of Cuba were “the worst and most openly opposed to your majesty’s service that ever there have been in these parts”. He affirmed<sup>58</sup> “*pro constanti* that all of them, of all degrees, including friars and other clergy, are *rescatadores* and maintain particularly familiar relations with corsairs. They are the most disloyal and rebellious vassals that any king or prince in this world ever had, and if your highness were to appear among them, they would sell your Highness for three yards of Rouen silk or even for nothing, because there is nothing they detest more than the authority of the king and his ministers”. Governor Valdes, in praising Manso

<sup>54</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, July 27 (?), 1606.

<sup>55</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, July 27, 1606; and, *id.* to *id.*, Havana, Oct. 5, 1606.

<sup>56</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, Dec. 15, 1606.

<sup>57</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, July 27, 1606.

<sup>58</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, October 20, 1606.

de Contreras's "great prudence and gentleness", remarked<sup>59</sup> that, because of his long service in Indies, he was well acquainted with the character of the residents in those parts. Because it would not be safe for him to drop in on other places in the island as he had on Havana, Governor Valdes furnished the judge with an escort of forty soldiers, his son Fernando de Valdes among them, and at the commencement of November, 1605, Manso de Contreras set out for the interior. His chaplain reported<sup>60</sup> that the mere prospect of his visitation there trebled the price of Rouen silk at Puerto Principe.

Lack of space prevents a detailed account of the picturesque experiences which awaited Manso de Contreras "*tierra adentro*". Making use of a letter from Governor Valdes which certified to "the rectitude of his behavior" and that his methods were "different and gentler" than had been reported, at Puerto Principe he "played the part of the faithful thief, treating the people with affability and reassuring them, whereupon many came out of hiding"; when he presently moved eastward, he left behind a representative with orders "to arrest them all", when the time should be ripe.<sup>61</sup>

Manso de Contreras's fame preceded him to Bayamo. There resided Juan de Treviño, who was Valdes's lieutenant for all the island. It is difficult to believe that this man was as black as he is painted in documents preserved at Seville. He at first at least pretended to be cooperating with the *oidor*, but when, from Puerto Principe, Manso de Contreras ordered the arrest of Treviño's "sergeant major and guard of the ports", who had hung certain Indians and Portuguese on Treviño's order, he seems to have arrived at the conviction that it was best policy "to flee the face of these gentlemen judges".

When Manso de Contreras arrived in Bayamo on December 22, he found the place deserted, by all save six or seven residents,

<sup>59</sup> *A. de I.*, 54-2-7, Valdes to the crown, Havana, Aug. 7, 1606.

<sup>60</sup> *A. de I.*, 54-2-7, Diego de Alvarado, Bayamo, Sept. 10, 1606.

<sup>61</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Puerto Principe, December 8, 1606.



who, he said,<sup>62</sup> were the absent Treviño's confederates and had remained behind to prevent others from returning, presumably to save their own skins by furnishing evidence against the rest. Of the missing population a hundred, some said a hundred and sixty persons, with Treviño, had embarked in two frigates under pretense that they were an *armadilla* equipped against pirates under Manso de Contreras's own instructions to proceed against enemy traders. Some said that they had sailed for Santo Domingo, to lay their situation before the *audiencia*; others said that they had merely "gone elsewhere", until they could hear from an emissary previously despatched to that court.

It was said that Treviño enjoyed the friendship of the president of the *audiencia*. Even before he left Havana it had become evident that the wind from that quarter was adverse to Manso de Contreras, and when the *audiencia* sent for and removed from Santiago the two or three hundred emigrants from La Española whose case was certainly embraced in the *oidor's* commission, if in fact that commission covered any other matter, the people of Bayamo rang bells of rejoicing, he said,<sup>63</sup> "and shouted 'Liberty' through the streets", in glee over this indication that he had not that higher court's support. There can be no doubt that the colonists hoped for his discomfiture, and Manso de Contreras appealed almost desperately to the crown for support—for extension of time and for adequate authority.<sup>64</sup> His worst fears were realized (before March, 1607). While he lay sick in bed, "hard-pressed by gout and not really convalescent from three serious illnesses", which all arose out of his "exhaustion from long journeyings through desolate places", there appeared before him a notary who served on him papers setting forth thirty-three charges entered against him with the *audiencia* of Santo Domingo.<sup>65</sup> In early June, 1607, he was again in Havana, having accomplished as little against *rescates* as Alvarez's armada and the *cedula* of expulsion against the Portuguese.

<sup>62</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Bayamo, Dec. 27, 1606.

<sup>63</sup> *A. de I.*, 54-2-7, Manso de Contreras to the crown, Havana, October 20, 1606.

<sup>64</sup> I have for brevity's sake omitted all account of Valera Arceo's intervention at Bayamo.

<sup>65</sup> *A. de I.*, 54-2-8, Manso de Contreras to the crown, Bayamo, March 10, 1607.

Now, at the commencement of October, 1605, just prior to Manso de Contreras's departure for the interior, he,<sup>66</sup> the town council,<sup>67</sup> and Governor Valdes,<sup>68</sup> in unanimous accord, had advised the crown to issue a general pardon, covering the whole matter of *rescates*. There was precedent: under date of August 3, 1603, a general pardon had been issued to those guilty of *rescates* in La Española. This turn of events is somewhat surprising. I have seen where Manso de Contreras mentions<sup>69</sup> three and a half or four thousand ducats spent "in negotiating the pardon", which money seems to have been raised by subscription. This does not necessarily imply that any influence was bought: it cost, in fees, salary, the chartering of despatch boats, and expenses of advocates at court, to obtain action on petitions, even in the most legitimate manner. Manso de Contreras had accused, and doubtless proven, the richest merchants in the colony involved in illegitimate business. The prior and consuls at Seville, even, protested<sup>70</sup> that, acting without proper authority, he had "inflicted very great vexations, laid embargoes, committed extortions", seized merchants' books and correspondence, etc.—ruining not only Havana merchants but also their principals in Spain. There is every reason to suppose that these merchants stood ready to purchase immunity, and their principals in Spain to exert influence in the same general direction. Nevertheless, I would prefer to believe that deplorable events in La Española had much to do with convincing Valdes, Manso de Contreras, the Council for Indies, and the crown itself, that rigorous punishment would prove as disastrous in Cuba as it had there. In brief, it is quite possible that they foresaw rebellion, doubtless to be followed by foreign occupation, as a possible consequence of any success in meting out justice to the *rescatadores* of Cuba.

"If they were to be punished according to the gravity of the offense", wrote<sup>71</sup> Governor Valdes, "the inland region would be

<sup>66</sup> *A. de I.*, 54-1-16, Manso de Contreras to the crown, Havana, October 6, 1606.

<sup>67</sup> *A. de I.*, 54-1-16, Havana to the crown, October 5, 1606.

<sup>68</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, October 5, 1606.

<sup>69</sup> *A. de I.*, 54-2-8, Manso de Contreras to the crown, Havana, Dec. 28, 1607.

<sup>70</sup> *A. de I.*, 143-5-1, prior and consuls to the crown, Sevilla, March 28, 1607; 148-1-9, V. 7, p. 237, *cedula real* to prior and consuls, April 27, 1607.

<sup>71</sup> *A. de I.*, 54-1-16, Valdez to the crown, Havana, Oct. 5, 1606.

reduced to desolation: there would not remain there children nor slaves nor even women, for, on account of the example set by their husbands, it seems that they have not only traded, but have also committed other unlovely acts not fit to be described in writing". Guilt being so general, the governor continued, "the remedy is not to be found in punishment". If attempt was made to inflict it, the most guilty would escape from the island, root, stalk, and branch, carrying the fire into other regions, even less defensible than Cuba (such as Campeche and Honduras), where it would blaze even more violently; meanwhile, the slaves of the island, so abandoned, would rise, take possession of the cattle, domesticated and wild, and continue the usual traffic with pirates there. In truth, Valdes was but describing what had actually happened in La Española. Therefore, "on his knees", the governor asked pardon, "for this one time, on behalf of these miserable people, for, although they are evil, they are also, after all, vassals of your majesty, and if this portion of your majesty's inheritance is cultivated in a different manner than that employed heretofore . . . seasoned fruits of obedience", he declared, might be hoped. Don Pedro asked that his own "faithless ministers", who, sent into the interior to punish *rescates* had themselves become *rescatadores*, be excepted from the pardon. The city council's petition<sup>72</sup> to the same general effect, gave identical reasons. A memorial was enclosed declaring that there were twenty thousand blacks in the colony, who might rebel: the pirates would supply arms. It was remarked that Havana was very vulnerable to attack by land, especially, the king must be aware, if it were at the same time attacked by sea, *i.e.*, if blacks in rebellion and pirate enemies cooperated, which it had long been feared that they might—feared since the days of Pedro Menendez's young manhood.<sup>73</sup> Manso de Contreras declared<sup>74</sup> that, although the colonists of Cuba merited punishment even more than those of La Española, were it meted out to them the island would retain very scanty population, few would

<sup>72</sup> A. de I., 54-1-16, Havana to the crown, October 5, 1606.

<sup>73</sup> A. de I., 53-6-5, V. I., two *memoriales* of Menendez, 1553.

<sup>74</sup> A. de I., 54-1-16, Manso de Contreras to the crown, Havana, October 6, 1606.

remain to till the soil or herd the cattle, or otherwise contribute to meet the demand of fleets and armadas calling at Havana, which would, therefore, suffer from the lack of the food supplies they were accustomed to take on there. He would have made more exceptions to the pardon than Valdes. These petitions for pardon were sent to Spain by special vessel.

They were quickly granted. It had been decided that, "the door having been closed" by the destruction of settlements in La Española and Venezuela, "benignity is now the most efficacious remedy".<sup>75</sup> Under date of December 22, 1606, the crown issued<sup>76</sup> the *cedula* wanted: it recites simply that the colonists have traded with the enemy and now, in order that they may return to their homes and cultivate their estates, they are fully pardoned for this offense, committed up to the proclamation of such pardon. There were no exceptions. Thereafter, so to trade was a capital crime, entailing confiscation of goods. Residents of La Española, guilty of the offense of *rescates*, who had gone into Cuba, were similarly pardoned, provided they returned to that island within six months after proclamation of an accompanying *cedula*<sup>77</sup> to this effect.

Valdes had asked<sup>78</sup> that he and Manso de Contreras jointly be authorized to promulgate this pardon, but it was especially ordered that the judge, not the governor, publish these *cedulas*. This was unquestionably to demonstrate that Manso de Contreras had not been discountenanced, and, possibly, to aid him to collect from those he had found guilty, the salary and costs allowed him in his commission. The *cedulas* were formally received<sup>79</sup> on June 10, 1607, by the governor, the lieutenant governor, the royal officials, the town council and the *oidor*, and next day they were cried with all possible solemnity from the doors of the town hall and, again, in the public square near the jail. They were similarly published in other towns. The emissary who

<sup>75</sup> A. de I., 78-2-2, V. 5, p. 74, *cedula real* to the *audiencia* at Santo Domingo, December 22, 1606.

<sup>76</sup> A. de I., 54-2-8, *cedula real*, December 22, 1606.

<sup>77</sup> A. de I., 78-2-2, V. 5, pp. 81 r., 82 r., *cedulas reales*, Feb. 12, 1607.

<sup>78</sup> A. de I., 54-1-16, Valdes to the crown, Havana, October 5, 1606.

<sup>79</sup> A. de I., 54-2-8, evidence of receipt, Havana, June 10, 1607.

proclaimed them was also commissioned to collect Manso de Contreras's bills.

Governor Valdes thanked<sup>80</sup> the king for this pardon, in the name "of this miserable people". If they should forget "their obligation to perpetual improvement", he said, "if they should repeat" their offense, they would be duly punished as ordered in the *cedula* of pardon. Manso de Contreras was confident<sup>81</sup> that they would not sin again: he had scared out of them all thought of dishonest trading!

His majesty was assured<sup>82</sup> that even by the spring of 1607 the "diabolical vice" his colonists had contracted of trading with affable enemies of the Catholic crown and of the Catholic faith, had been eradicated from the thousand and one ports of the island of Cuba. Witnesses bore evidence<sup>83</sup> to the fact that pirate ships standing off the coasts, in vain fired their cannon to attract customers: no buyers responded. The very roads by which hides formerly went to the sea by long pack trains, grew over with weeds. 'Twas true, that danger of revival of the evil lurked in the unregenerate clergy. The bishop's provisor Puebla was seized by the inquisition and carried off to Mexico to answer for complicity in *rescates*. Cabezas protested and, hurrying home from Jamaica to rescue Puebla, the good bishop thanked God that Cuba's coasts were clean. Not a pirate remained, he knew,<sup>84</sup> for he met none: and had there been one left, he, with his usual luck, would certainly have encountered him.

If these assertions deceived his majesty, subsequent events dissipated the deception. *Rescates* had not been eradicated; the composition and character of the colonial population had not altered; the opportunities offered foreign traders had not diminished; their activity in making the most of them had not abated; neither, despite many wise recommendations of it, had there been any relaxation of the restrictions which discouraged legitimate trade.

<sup>80</sup> *A. de I.*, 54-1-16, Valdes to the crown, Havana, July 13, 1607.

<sup>81</sup> *A. de I.*, 54-2-8, Manso de Contreras to the crown, Havana, June 15, 1607.

<sup>82</sup> *A. de I.*, 54-2-8, *informacion*, Bayamo, Mar. 4, 1607.

<sup>83</sup> *Ibid.*

<sup>84</sup> *A. de I.*, 54-2-8, Cabezas to the crown, Aug. 23, 1608.

As a further measure against *rescates*—after the humiliation of Juan Alvarez's armada, after Manso de Contreras's visitation, after the pretense of expelling the Portuguese—his majesty effected "the division of the government" of Cuba. The center and east of the island were placed under the jurisdiction of a governor, to reside at Santiago de Cuba and, late in 1608 or early in 1609, the first incumbent, Juan Villaverde Ureta, set out from Havana for his district, in not unwarranted fear of his life, despite his comparatively heavy escort.<sup>85</sup>

I. A. WRIGHT.

<sup>85</sup> Wright, I. A., *Santiago de Cuba and its District* (Madrid, 1918).